() 007 ½5 2001

Corney Docket No. <u>01149/HG</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Yuki ABE et al.

Serial No. : 09/836,705

Filed : April 17, 2001

For : GENES FROM A GENE CLUSTER

Art Unit : 1645

Examiner :

SUBMISSION OF CERTIFICATES OF DEPOSIT

Assistant Commissioner for Patents Washington, D.C. 20231

SIR:

Express Mail Mailing Label
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Washington, D.C. 20231

Doubly Wateouseses Dorothy Defrancesco

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

Submitted concomitantly herewith are copies of the Certificates of Deposit and English language translations thereof for the following deposited microorganisms:

Microorganism	<u>Deposit No.</u>	<u>Deposit Date</u>
E. coli pML48 SANK 71199	FERM BP-6780	July 7, 1999
E. coli pSAKexpE SANK 72499	FERM BP-7005	Jan. 25, 2000
E. coli pSAKexpR SANK 72599	FERM BP-7006	Jan. 25, 2000

All of the above-identified microorganism were deposited with the National Institute of Bioscience and Human-Technology

Agency of Industrial Science and Technology, 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305-8566, Japan.

Respectfully submitted,

RICHARD S. BARTH REG. NO. 28,180

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C. 767 THIRD AVENUE - 25TH FLOOR NEW YORK, NEW YORK 10017-2023 Tel. No. (212) 319-4900 Fax No. (212) 319-5101 RSB/ddf

Enclosures: Copies of Certificates of Deposit and English language translations thereof for FERM BP-6780, FERM BP-7005 and FERM BP-7006

特許手続上の微生物の寄託の国際的承認 に関するブタベスト条約

下記国際寄託当局によって規則 7. 1 に従い 発行される。

原寄託についての受託証

BUDAPEST TREATY ON THE INTERNATION NAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page.

平成11年(1999)

7月 7日

殿

氏名 (名称)

三共株式会社

取締役社長

河村 喜典

寄託者

あて名 〒

東京都中央区日本橋本町3丁目5番1号

·	
1.微生物の表示	
(寄託者が付した識別のための表示) E. coli pML48 SANK71199	(受託番号) FERM BP- 6780
0. 到2444.14577474524.1.44.150	
2. 科学的性質及び分類学上の位置	
1 欄の微生物には、次の事項を記載した文書が添付されていた。	
□ 科学的性質□ 分類学上の位置	
3. 受領及び受託	
本国際寄託当局は、 平成 11 年 7月 7日 (原寄託日) に受領した1根	例の微生物を受託する。
4. 移管請求の受領	·
本国際寄託当局は、 年 月 日(原寄託日)に1欄の微生物 そして、 年 月 日 に原寄託よりブダペスト条約に基づく寄	
5. 国際寄託当局	
通商産業省工業技術院生命工学工業技術研究所	•
National Instructive to the Bioscience and Hun 名称: Agency of Industrial Science and	man-Technology Technology
所 長 大箸 信中間計15日 ZiFi	
Dr. Shinye Tana Director-Genera	
あて名: 日本国茨城県つくば市東1丁目1番3号 (郵便番号305-8566)	
1-3, Higashi l chome Tsukuba-shi Ibaraki 305-8566, JAPAI	

INTERNATIONAL FORM

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page

NAME AND ADDRESS OF DEPOSITOR

Sankyo Company, Limited Representative Director and President Yoshibumi Kawamura 5-1, Nihonbashi Honcho 3-chome, Chuo-ku, Tokyo 103-8426 Japan

1. IDENTIFICATION OF THE MICROORGANISM
(Identification reference given by the DEPOSITOR) (Accession number) E. coli pML48 SANK71199 FERM BP-6780
2. SCIENTIFIC DESCRIPTION AND / OR PROPOSED TAXONOMIC DESIGNATION
The microorganism identified under 1 above was accompanied by :
a scientific description
a proposed taxonomic designation
3. RECEIPT AND ACCEPTANCE
This International Depositary Authority accepts the microorganism identified under column 1, which was received by it on July 7, 1999 (date of the original deposit).
4. RECEIPT OF REQUEST OF TRANSFERRING
Our International Depository Authority accepted a microorganism described in column I on , And we accepted the request of transferring the microorganism from original deposit to the deposit and Budapest Treaty on ,
5. INTERNATIONAL DEPOSITARY AUTHORITY
Name: National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology
of <u>Dr. Shinichi Ohashi, Director-General</u>
Address : 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305-8566, JAPAN
Date : July 7, Heisei 11 (1999)



-特許手続上の微生物の寄託の国際的承認 - に関するプタペスト条約

下記国際寄託当局によって規則7.1に従い発行される。

原寄託についての受託証

BUDAPEST TREATY ON THE INTERNATIO-NAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page.

氏名 (名称)

三共株式会社

取締役社長 河村 喜典

寄託者

あて名 〒

殿

東京都中央区日本橋本町3丁目5番1号

1. 微生物の表示	
(寄託者が付した識別のための表示) E. coli pSAKexpE SANK 72499	(受託番号) FERM BP- 7005
2. 科学的性質及び分類学上の位置	
1欄の徴生物には、次の事項を記載した文書が添付されていた。	
□ 科学的性質□ 分類学上の位置	
3. 受領及び受託	,
本国際寄託当局は、 平成 12年 1月25日(原寄託日)に受領した1	欄の徴生物を受託する。
4. 移管請求の受領	
本国際寄託当局は、 年 月 日(原寄託日)に1禰の微生 そして、 年 月 日 に原寄託よりブダペスト条約に基づく	
5. 国際寄託当局	
通商産業省工業技術院生命工学工業技術研究	
National Inetitute of Bioscience and Ho 名称: Agen ()	
Dr. Sh	
1-3, Higashi I chome Tsukuba-shi Ibarak	- /
305-8566, JAPA	AN
· · · · · · · · · · · · · · · · · · ·	成12年(2000) 1月25日

INTERNATIONAL FORM

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page

NAME AND ADDRESS OF DEPOSITOR Sankyo Company, Limited Representative Director and President Yoshibumi Kawamura 5-1, Nihonbashi Honcho 3-chome, Chuo-ku, Tokyo 103-8426 Japan

1. IDENTIFICATION OF THE MICROORGANISM
(Identification reference given by the DEPOSITOR) E. coli pSAKexpE SANK 72499 (Accession number) FERM BP-7005
2. SCIENTIFIC DESCRIPTION AND / OR PROPOSED TAXONOMIC DESIGNATION
The microorganism identified under 1 above was accompanied by :
a scientific description
a proposed taxonomic designation
3. RECEIPT AND ACCEPTANCE
This International Depositary Authority accepts the microorganism identified under column 1, which was received by it on January 25, 2000 (date of the original deposit).
4. RECEIPT OF REQUEST OF TRANSFERRING
Our International Depository Authority accepted a microorganism described in column I on , . And we accepted the request of transferring the microorganism from original deposit to the deposit and Budapest Treaty on ,
5. INTERNATIONAL DEPOSITARY AUTHORITY
Name: National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology
of <u>Dr. Shinichi Ohashi, Director-General</u>
Address: 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305-8566, JAPAN
Date: January 25, Heisei 12 (2000)

FORM



特許手続上の微生物の寄託の国際的承認 に関するブタペスト条約

RECEIPT IN THE CASE OF AN ORIGINAL

BUDAPEST TREATY ON THE INTERNATIO-NAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF

下記国際寄託当局によって規則 7. 1に従い 発行される。

DEPOSIT

原寄託についての受託証

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this

氏名 (名称)

三共株式会社

取締役社長 河村 喜典

寄託者

て名

殿

PATENT PROCEDURE

東京都中央区日本橋本町3丁目5番1号

	·
1. 微生物の表示	
(寄託者が付した識別のための表示) E. coli pSAKexpR SANK 72599	(受託番号) FERM BP- 7006
2. 科学的性質及び分類学上の位置	
1 欄の微生物には、次の事項を記載した文書が添付されていた。 □ 科学的性質	
□ 分類学上の位置 ■ 3. 受領及び受託	
本国際寄託当局は、 平成 12 年 1 月 25 日(原寄託日)に受領した1村	欄の微生物を受託する。
4. 移管請求の受領	
本国際寄託当局は、 年 月 日(原寄託日)に1欄の徴生を そして、 年 月 日 に原寄託よりブダペスト条約に基づく	
5. 国際寄託当局	
通商産業省工業技術院生命工学工業技術研究所	所
National Last Agence and Hu 名称: Agency The Last Field Science and Hu Agency The Last	- -
所長大著信子子中的別別的i Director-Genera	
あて名: 日本国茨城県つく <u>徳市東、宇宙工番子</u> 号(郵便番号305-8566 1-3,Higashi l chome Tsukuba-shi Ibarak	
305-8566, JAPA	
	成12年(2000) 1月25日

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

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NAME AND ADDRESS OF DEPOSITOR

Sankyo Company, Limited Representative Director and President Yoshibumi Kawamura 5-1, Nihonbashi Honcho 3-chome, Chuo-ku, Tokyo 103-8426 Japan

1. IDENTIFICATION OF THE MICROORGANISM
(Identification reference given by the DEPOSITOR) (Accession number) E. coli pSAKexpR SANK 72599 FERM BP-7006
2. SCIENTIFIC DESCRIPTION AND / OR PROPOSED TAXONOMIC DESIGNATION
The microorganism identified under 1 above was accompanied by :
a scientific description
a proposed taxonomic designation
3. RECEIPT AND ACCEPTANCE
This International Depositary Authority accepts the microorganism identified under column 1, which was received by it on January 25, 2000 (date of the original deposit).
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5. INTERNATIONAL DEPOSITARY AUTHORITY
Name: National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology
of <u>Dr. Shinichi Ohashi, Director-General</u>
Address: 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305-8566, JAPAN Date: January 25,
Heisei 12 (2000)